



Election/ #28
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : Confirmation No. 7809
Herman WALDMANN et al. : Docket No. 2001-0699
Serial No. 09/125,460 : Group Art Unit 1642
Filed August 19, 1998 : Examiner L. Helms
ANTIBODY VARIANTS :

THE COMMISSIONER IS AUTHORIZED
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ACCOUNT NO. 23-0975

RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents,
Washington, D.C. 20231

Sir:

In response to the Restriction Requirement dated August 15, 2002, Applicants hereby provisionally elect the invention of Group II, claims 26-70. It is noted that this election is made by the Applicants while retaining their right to file a Divisional Application directed to the non-elected subject matter with the protection afforded by 35 USC § 121.

Claims 18, 71 and 72, directed to non-elected subject matter, remain in the application. It is requested that they be permitted to remain in a dormant condition pending the filing of a divisional application.

The Examiner accordingly is requested to proceed with an examination on the merits.

Respectfully submitted,

Herman WALDMANN et al.

By: _____

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